

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DOUGLAS J. KOLB, )  
Petitioner, ) Civil Action No. 7:14cv00060  
 )  
v. ) **FINAL ORDER**  
 )  
HAROLD W. CLARKE, )  
Respondent. ) By: Michael F. Urbanski  
 ) United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that respondent's motion to dismiss (Docket No. 6) is **DENIED without prejudice** and respondent is **DIRECTED** to file a second dispositive motion within thirty days of the entry of this order.

The Clerk is directed to send a copy of this order and accompanying memorandum opinion to the parties.

Entered: January 27, 2015

*Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge